

Rosie Spiegel  
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Federal Trade Commission/Office of the Secretary, Room H-135 (Annex W)  
Re: Business Opportunity Rule, R511993  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

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Dear Sir or Madam:

I am writing this letter regarding the FTC's proposed Business Opportunity Rule (R511993). I am concerned that this ruling could greatly hinder or even ruin my independent USANA Health Sciences business. This is the business I have spent the last 7 years building and my family and I rely on this business as the sole form of income in our household. As a veteran entrepreneur I would like to vouch for the professionalism we Usana distributors practice and ask you to reconsider this potentially devastating ruling. Although I understand and appreciate the FTC's responsibility to protect the public from "unfair and deceptive acts or practices," in this case I believe the rule goes too far in trying to protect the public by proposing certain unnecessary and burdensome requirements that will make it very difficult if not impossible for me to sustain my USANA business. **As one who habitually thinks "win/win" I cannot see who the winners are in this proposal.**

Please reconsider the proposed rule of the seven-day waiting period to enroll new independent USANA Associates. This would completely derail my business for its cumbersome and unnecessary requirements. **We have fought for many decades to raise the bar professionally of this incredible industry. Why set us back?** USANA's sales kit only costs \$49.95 (or \$19.95 for the electronic version). People buy TVs, cars, and other items that cost much more than that, and they do not have to wait seven-days. This waiting period gives the impression that there might be something wrong with USANA's business plan. I also think this seven-day waiting period is unnecessary, because USANA already has a 100% buyback policy for all products including sales kits purchased by a salesperson within the initial 30 days and a 90% buyback for products purchased within the last twelve months. Under this waiting period requirement, I will need to keep very detailed records of when I first speak to someone about USANA and will then have to send in many reports to USANA headquarters.

The proposed rule also calls for the release of any information regarding lawsuits involving misrepresentation, or unfair or deceptive practices. This raises a red flag for potential distributors which is, again, unfair,

unreasonable, and unprofessional. These days, anyone or any company can be sued for almost any reason. Why make such disclosures if USANA is not guilty? **For many years the FTC has been so supportive of this wonderful industry! Let's work together so as not to jeopardize a business model that does wonders for countless active professional distributors.** Why put USANA and my independent USANA business at an unfair advantage? Potential independent USANA Associates are misled to believe that USANA is guilty of wrong-doing even though USANA may have done **nothing** wrong if these proposed stipulations are mandated.

Finally, the proposed rule requires the company to disclose to each prospective independent USANA Associate the names and contact information of a minimum of 10 previously enrolled independent USANA Associates who live nearest to the prospective Associate. I always do provide references when asked, but in this day of identity theft, it is not prudent to give out the personal information of individuals (without their approval) to strangers. Also, sharing this type of information with business prospects who may be involved in other network marketing businesses creates an opportunity for those prospects to recruit enrolled USANA Associates away from the USANA opportunity. USANA considers the names of its independent Associates to be confidential and trade secret information, and a requirement to disclose this information for this purpose makes it very difficult for USANA to protect its trade secret information and this could damage the company's business. Moreover, in order to get the list of the 10 previously enrolled independent Associates, I will need to send the address of the prospective Associate to USANA headquarters and then wait for the list. This will make recruiting prospects for the USANA opportunity a very slow and tedious process. I also think the following sentence required by the proposed Rule will prevent many people from wanting to sign up as an independent USANA Associate, "If you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers." People are very concerned about the privacy of their personal information and the potential for identity theft. They will be reluctant to share their personal information with individuals they may have never met.

I have been an independent USANA Associate for more than 7 years. It has been an extremely wonderful experience for me and my family. **Had I been introduced to the business with the unreasonable stipulations you are suggesting I may not ever been able to get involved. What you are proposing will have an inevitable negative impact on the lives of many people who can otherwise benefit from such an extraordinary business opportunity.**

Thank you for your efforts to protect consumers, but I believe this proposed new rule has many unintended negative consequences and that there are less burdensome alternatives available in achieving its goals.

I am hoping for the best outcome here for as many people as possible. I

hope you will seriously rethink this proposed ruling.

Sincerely,

Rosie Spiegel, Independent Usana Distributor